

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

EASTERN DIVISION

PLATINUMTEL COMMUNICATIONS,)	
LLC,)	
)	
Plaintiff,)	
)	No. 08 CV 1062
vs.)	
)	Judge JOAN H. LEFKOW
ZEFCON, LLC d/b/a TELISPIRE,)	
TELISPIRE, INC, et al.,)	
)	
Defendants)	
)	

DEFENDANT EZ STREAM'S MOTION TO DISMISS
PLATINUMTEL'S AMENDED COMPLAINT

NOW COMES, Defendant EZ Stream, Inc., ("EZ Stream") by and through its attorneys, Akram Zanayed & Associates, and moves this Court pursuant to Fed. R.Civ. P. 9(b) and 12 (b)(6) to enter an order dismissing with prejudice each of the claims asserted against EZ Stream by Plaintiff PlatinumTel Communications, LLC ("PlatinumTel") in Counts I through IV of PlatinumTel's Amended Complaint. The claims against EZ Stream should be dismissed due to Plaintiff's failure to plead sufficient facts to establish the alleged violations in the amended complaint. Furthermore, Plaintiff also fails to plead sufficient facts to conform to Rule 9(b), since all counts are sounding in fraud. In support of this motion, EZ Stream submits it Memorandum of Law in Support of its Motion to Dismiss.

Dated May 20, 2008

Respectfully submitted,

By: s/ Hanna Mraibie
One of EZ Stream's Attorneys

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CERTIFICATE OF SERVICE

I, hereby certify that on May 20, 2008, I served the above and foregoing Defendant EZ Stream's MOTION TO DISMISS PLATINUMTEL'S AMENDED COMPLAINT, with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following email addresses:

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By: /s/ Hanna Mraibic